

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

KEVIN RECINOS-RUANO,

Defendant.

Case No: 3:25-cr-00010-MMD-CLB (2)

Protective Order Regarding Discovery  
Containing Personal Identifying  
Information

The Court has read and considered the Stipulation and Joint Request for a Protective Order Regarding Discovery Containing Personal Identifying Information, filed by the government and defendant Kevin Recinos-Ruano (“defendant”) in this matter on April 14, 2025, which this Court incorporates by reference into this order, and FOR GOOD CAUSE SHOWN the Court hereby FINDS AND ORDERS as follows:

1. The government’s discovery in this case relates to defendant’s alleged crime, that is, Conspiracy to Harbor Illegal Aliens in violation of 8 U.S.C. §§ 1324(a)(1)(A)(v)(I) and (a)(1)(B)(i). The discovery contains the personal identifying information of real persons, including, among other things, personal names, addresses, telephone numbers, electronic mail accounts, social media accounts, dates of birth, Social Security numbers, or bank account numbers.

2. If the government were to redact all personal identifying information in strict compliance with Federal Rule of Criminal Procedure 49.1 and the District of Nevada’s Local Rules regarding redaction, the defense would receive a set of discovery that would be highly confusing and difficult to understand, and defense counsel would not be able to adequately evaluate the case, advise their respective clients, or prepare for trial.

3. The Court finds it is appropriate, therefore, for the government to produce unredacted discovery that contains personal identifying information but preserve the privacy and security of the alleged victims and third parties. The Court agrees that a protective order as

1 requested by the parties will serve the government's interest in maintaining the privacy and  
2 security of alleged victims and third parties while permitting the defense to understand the  
3 government's evidence.

4 4. Accordingly, the discovery that the government will provide to defense counsel in  
5 the above-captioned case will be subject to this Protective Order, as follows:

6 a. For purposes of the Protective Order, the term "Personal Identifying  
7 Information" ("PII") includes any information that can be used to identify a person, including  
8 name, address, date of birth, Social Security number, driver's license number, telephone number,  
9 account number, electronic mail accounts, social media accounts, or personal identification  
10 number. The term "PII Protected Information" refers to materials containing PII that the  
11 government produces to the defense pursuant to the Protective Order.

12 b. For purposes of the Protective Order, the term "defense team" refers to (1)  
13 defendant's counsel of record, (2) other attorneys at defense counsels' law firms who may be  
14 consulted regarding case strategy in the above-captioned matter, (3) defense investigators who are  
15 assisting defense counsel with this case, (4) retained experts or potential experts, and  
16 (5) paralegals, legal assistants, and other support staff to defendant's counsel of record providing  
17 assistance on this case -- all of whom have been advised of their obligations under the Protective  
18 Order and have affirmed to defendant's counsel of record that they agree to be bound by the  
19 terms of the Protective Order. The term "defense team" does not include defendant, his family  
20 members, or any other associates of defendant.

21 c. Defendant's counsel of record agrees to advise all members of the defense  
22 team of their obligations under the Protective Order and ensure their agreement to follow the  
23 Protective Order, prior to providing members of the defense team with access to any materials  
24 subject to the Protective Order.

25 d. The government is authorized to provide defendant's counsel of record with  
26 PII Protected Information. Defendant may review PII Protected Information in this case only in  
27 the presence of a member of the defense team, and his counsel of record shall ensure that  
28 defendant is never left alone with any discovery subject to the Protective Order. Defendant may

1 see and review PII Protected Information in the presence of a member of the defense team, but  
2 defendant may not copy, keep, maintain, or otherwise possess any of such PII Protected  
3 Information in this case at any time. Defendant must return any PII Protected Information to the  
4 defense team at the conclusion of any meeting at which defendant is permitted to view the PII  
5 Protected Information. Defendant may not take any PII Protected Information out of the room  
6 in which he is meeting with the defense team. Defendant may not write down or memorialize  
7 any PII contained in the PII Protected Information. At the conclusion of any meeting with  
8 defendant, the member of the defense team present shall take with him or her all PII Protected  
9 Information. At no time, under no circumstance, will any PII Protected Information be left in  
10 the possession, custody, or control of defendant, whether he is incarcerated or not.

11 e. The defense team shall not permit anyone other than the defense team to  
12 have possession of PII Protected Information, including defendant himself. The defense team  
13 shall access and use PII Protected Information for the sole purpose of preparing for trial or any  
14 related proceedings in this case. The defense team may review PII Protected Information with a  
15 witness or potential witness in this case, including defendant. Before being shown any portion of  
16 PII Protected Information, however, any witness or potential witness must be informed of, and  
17 agree to be bound by, the requirements of the Protective Order. No witness or potential witness  
18 may retain PII Protected Information or any copy thereof, after his or her review of those  
19 materials with the defense team is complete.

20 f. The defense team shall maintain PII Protected Information safely and  
21 securely and shall exercise reasonable care in ensuring the confidentiality of those materials by (1)  
22 not permitting anyone other than defense team members and defendant as restricted above to see  
23 PII Protected Information, (2) not divulging to anyone the contents of PII Protected Information,  
24 and (3) not permitting PII Protected Information to be outside the defense team's offices, homes,  
25 hotel rooms, vehicles, or personal presence.

26 g. To the extent that notes are made that memorialize, in whole or in part, the  
27 PII in any PII Protected Information, or to the extent that copies are made for authorized use by  
28 members of the defense team, such notes, copies, or reproductions become PII Protected

1 Information, subject to the Protective Order and must be handled in accordance with the terms of  
2 the Protective Order.

3 h. The defense team shall use PII Protected Information and materials  
4 otherwise identified as containing PII and materials otherwise identified as containing  
5 confidential materials, only within the scope of representing Mr. Recinos-Ruano and for no other  
6 purpose. Mr. Recinos-Ruano's representation includes any appeal filed by defendant, any  
7 motion filed by defendant pursuant to 28 U.S.C. § 2255, and preparation of any and all  
8 mitigation materials. In the event that a party needs to file PII Protected Information, materials  
9 otherwise identified as containing PII, or materials otherwise identified as containing confidential  
10 materials with the Court or divulge the contents of such materials in court filings, the filing  
11 should be made under seal. If the Court rejects the request to file such information under seal,  
12 the party seeking to file such information shall provide advance written notice to the other party  
13 to afford such party an opportunity to object or otherwise respond to such intention. If the other  
14 party does not object to the proposed filing, the party seeking to file such information shall redact  
15 the PII or confidential materials and make all reasonable attempts to limit the divulging of PII or  
16 confidential materials.

17 i. The parties also agree that any PII or confidential materials produced in the  
18 course of discovery in the above-captioned matter prior to the date of the Protective Order shall  
19 be subject to the terms of the Protective Order.

20 j. Upon the final disposition of this case, any PII Protected Information,  
21 materials otherwise identified as containing PII, or materials otherwise identified as containing  
22 confidential materials shall not be used, in any way, in any other matter, absent a court order.  
23 All materials designated subject to the Protective Order maintained in the defense team's files  
24 shall remain subject to the Protective Order unless and until such order is modified by court  
25 order. Within thirty days of the conclusion of appellate and post-conviction proceedings, the  
26 defense team shall return PII Protected Information and materials otherwise identified as  
27 containing PII to the government or certify that such materials have been destroyed.  
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1 k. In the event that there is a substitution of counsel prior to when such  
2 documents must be returned, new defense counsel must join this Protective Order before any PII  
3 Protected Information, materials otherwise identified as containing PII, or materials otherwise  
4 identified as containing confidential materials may be transferred from the undersigned defense  
5 counsel to the new defense counsel. New defense counsel then will become the defense team's  
6 custodian of materials designated subject to the Protective Order and shall then become  
7 responsible, upon the conclusion of appellate and post-conviction proceedings, for returning to  
8 the government, or certifying the destruction of, all PII Protected Information and materials  
9 otherwise identified as containing PII.

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11 IT IS SO ORDERED.

12 April 15, 2025

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14 DATE

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HONORABLE CARLA L. BALDWIN  
UNITED STATES MAGISTRATE JUDGE